

REMARKS

Claims 1-20 are pending and have been finally rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 6,367,593 (Siler et al.).

The specification has been rephrased to plainly state what is clearly shown in Figure 3 of the specification, i.e., that the joined end walls and sidewalls are integral portions of the same piece of the respective ball screw and ball screw nut. No new matter is being added to the disclosure, and the specification is properly amended in view of what is shown in the drawings.

Applicants submit that one of ordinary skill in the art would surmise from Figure 3 that end wall 52 and sidewall 50 of ball screw 48 are integral portions of the same piece of the ball screw, and that end wall 66 and side wall 64 of ball screw nut 40 are integral portions of the same piece of the ball screw nut, particularly in view of the ball screw and ball screw nut having been respectively described as having “. . . an annular cylindrical sidewall disposed about a rotational axis and closed at one axial end thereof by an end wall joined around an entire periphery thereof integrally with the sidewall[,]” and “. . . an annular cylindrical sidewall disposed about a rotational axis and closed at one axial end thereof by an end wall joined around an entire periphery thereof integrally with the sidewall of the ball screw nut,”

Claims 1, 4, 10, 13, 18 and 19 have been rephrased to clarify the intended meaning of the previously used term “integrally,” i.e., that the joined sidewall and end wall are portions of the same piece.

Further, Applicants disagree with the Examiner’s contention that Siler et al. ‘593 discloses cup-shaped ball screw having an annular cylindrical sidewall disposed about a rotational axis and closed at one axial end thereof by an end wall joined around an entire periphery thereof with the sidewall, “integrally” or otherwise. As clearly shown in Fig. 2 of Siler et al. ‘593, the periphery of the end wall is provided with individually distinct projections that engage grooves or keyways formed in the interior surface of the sidewall.

“For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference.” Diversitech Corp. v. Century Steps, Inc., 840 F.2d 675, 677, 7 U.S.P.Q.2d 1315, 1317 (Fed. Cir.

1988). Contrary to every element of the claimed invention being identically shown in Siler et al. '593, this reference teaches away from the end wall being joined around an entire periphery thereof to the sidewall. Rather, the joining of the end wall and sidewall is through engagement of the discrete projections located on the periphery of the end wall and the grooves distributed circumferentially about the inner surface of the sidewall.

For the above reasons, Applicants respectfully request entry of this amendment and reconsideration of the claim rejections.

Applicants submit that the present application is now in condition for allowance, and respectfully request that allowance be granted.

In the event Applicants have overlooked the need an extension of time, Applicants hereby petition therefor, and request and authorize that the payment of any fee or additional amount of fee required in connection with this application, with the exception of issue or publication fees, be charged to Deposit Account No. 50-0831, Delphi Technologies, Inc.

Respectfully submitted,



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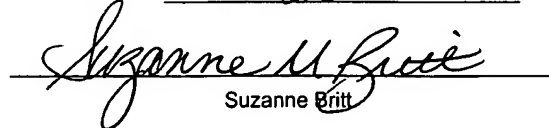
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The undersigned hereby certifies that this document is being deposited with the United States Postal Service in an envelope as first class mail addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10-28, 2004.


Suzanne Britt